

COMMITTEE OF THE WHOLE APRIL 8, 2002

**ZONING BY-LAW AMENDMENT FILE Z.01.061
1487224 ONT. INC.
REPORT #P.2001.72**

Recommendation

The Commissioner of Planning recommends:

That Zoning By-law Amendment File Z.01.061 (1487224 Ont. Inc.) BE APPROVED, to permit a Public Garage use with no outdoor storage of vehicles, for a temporary (maximum three year) period.

Purpose

On August 24, 2001, the Owner submitted an application for a three-year temporary amendment to the Zoning By-law to permit a Public Garage use in the EM1 Prestige Employment Area Zone. The public garage with no outdoor storage is proposed in Units 1 and 2 of the multi-unit industrial condominium building.

Background - Analysis and Options

The site is located on the west side of Dufferin Street, north of Langstaff Road, being Lot 36 on Plan 65M-2043, Units 1 and 2 of York Region Condominium Corporation No. 547, in Lot 11, Concession 3, City of Vaughan. The rectangular-shaped 1.53 ha through-lot has 106.8m frontage on both Dufferin Street and Fernstaff Court, and a depth of 144.1m. The site is developed with two 12-unit, single-storey industrial buildings and 108 parking spaces.

The subject lands are designated "Prestige Area" by OPA #450 and zoned EM1 Prestige Employment Area Zone by By-law 1-88. The surrounding uses are:

- North - employment (EM1 Prestige Employment Area Zone)
- South - vacant/employment (EM1 Prestige Employment Area Zone); commercial (C7 Service Commercial Zone)
- West - Fernstaff Court; employment (EM2 General Employment Area Zone)
- East - Dufferin Street; woodlot (OS1 Open Space Conservation Woodlot Zone)

On October 12, 2001, a notice of public hearing was circulated to all property owners within 120m of the subject lands, and to the Concord West Ratepayers Association. To date, no comments have been received. The recommendation of the Committee of the Whole at the Public Hearing on November 5, 2001, to receive the public hearing and forward a comprehensive report to a future Committee meeting, was ratified by Council on November 12, 2001.

Official Plan

The subject lands are designated "Prestige Area" by OPA #450, which provides opportunities for a wide range of industrial, office, business and civic uses, with no outside storage. The proposed public garage use conforms to the Official Plan.

Zoning

The site is zoned EM1 Prestige Employment Area Zone by By-law 1-88. The EM1 Zone permits a public garage use for the care, repair or equipping of motor vehicles, excluding an autobody repair shop, provided it was legally existing as of the date of the enactment of By-law 80-95. The proposed public garage was not in existence prior to April 10, 1995, and therefore, an exception to the EM1 Zone is required to allow this use.

Compatibility

The site is developed with two multi-use industrial buildings occupied by a range of employment uses, offices and a social club. In addition, the following units contain automotive-related uses:

- Unit #4: public garage and auto sales establishment (permit issued in March 1990, and has legal non-conforming status);
- Units #13 and #14: forklift garage (permit issued in April 1985);
- Units #15, #22 and #24: car brokerage (permitted EM1 use).

The uses surrounding the site include a mix of employment and commercial/office uses.

The subject Units 1 and 2 (352m²) are in the westerly building (2,215m²) adjacent to Fernstaff Court and separated from Dufferin Street by another multi-unit industrial building at the site. The vehicles to be serviced enter the building via overhead doors on the rear elevation facing the central loading area. There is no proposed change to any elevations having street exposure. The proposed use does not include open storage of vehicles or materials, and the public garage will be contained completely in the building. Accordingly, the site parking would not be affected.

As a temporary use, the public garage would be re-evaluated in 3 years under a new application to determine if it is still appropriate and can continue. On this basis, Staff can support the proposed public garage use in Units 1 and 2.

Conclusion

Staff have reviewed the proposed application in accordance with the policies of the Official Plan and are satisfied that the proposed public garage with no outdoor storage of vehicles is in keeping with the intent of the Plan. The use is compatible with the uses on the site and in the surrounding area, and the site parking will not be affected. As a temporary use, the use can be re-evaluated in 3 years to determine if it is still appropriate.

Therefore, Staff recommends approval of the application for a temporary (maximum three year) period. Should the Committee concur, the recommendation of this report can be adopted.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

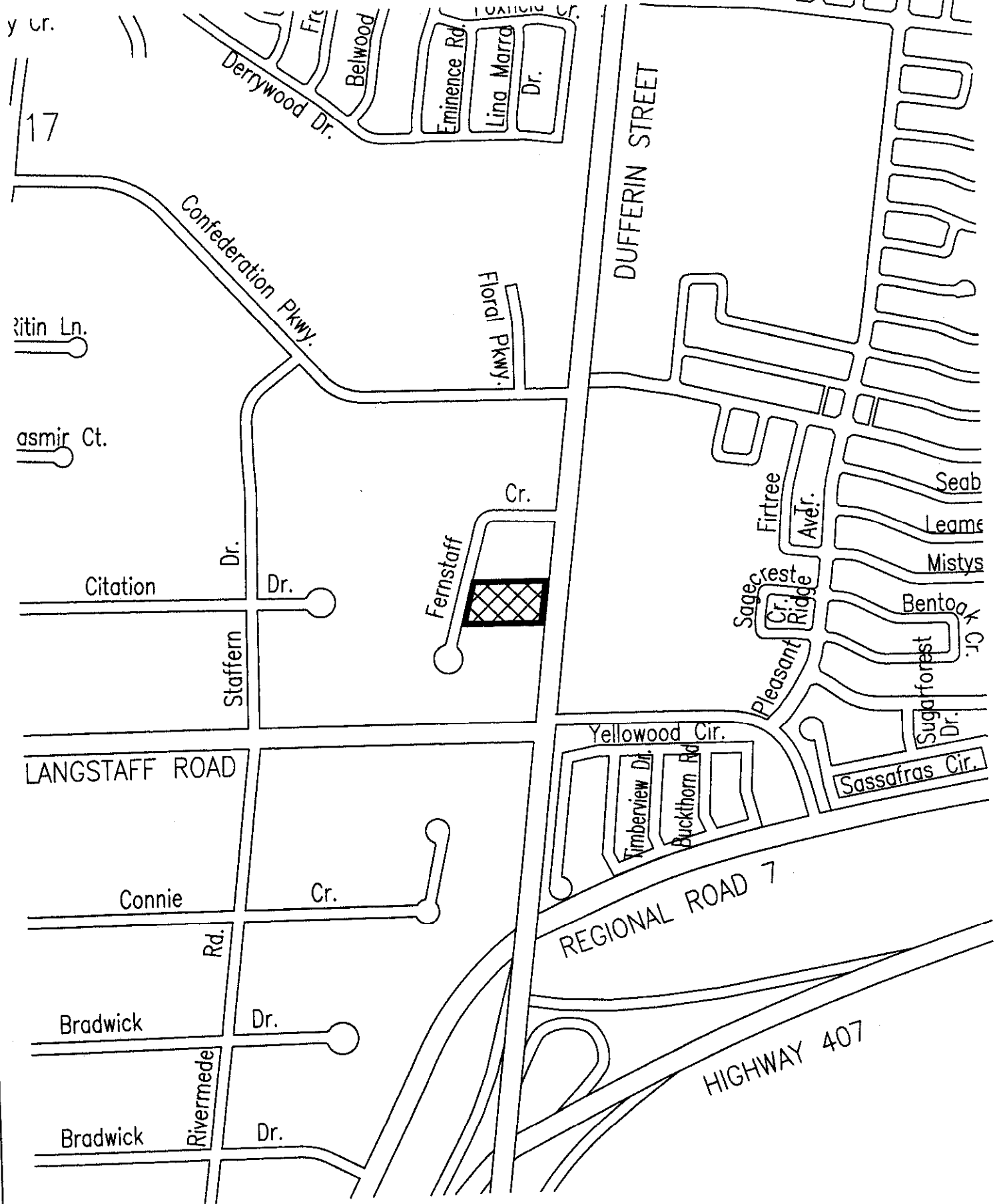
Andrea Egizii, Planner I, ext. 8215
Grant A. Uyeyama, Senior Planner, ext. 8635

Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

/LG



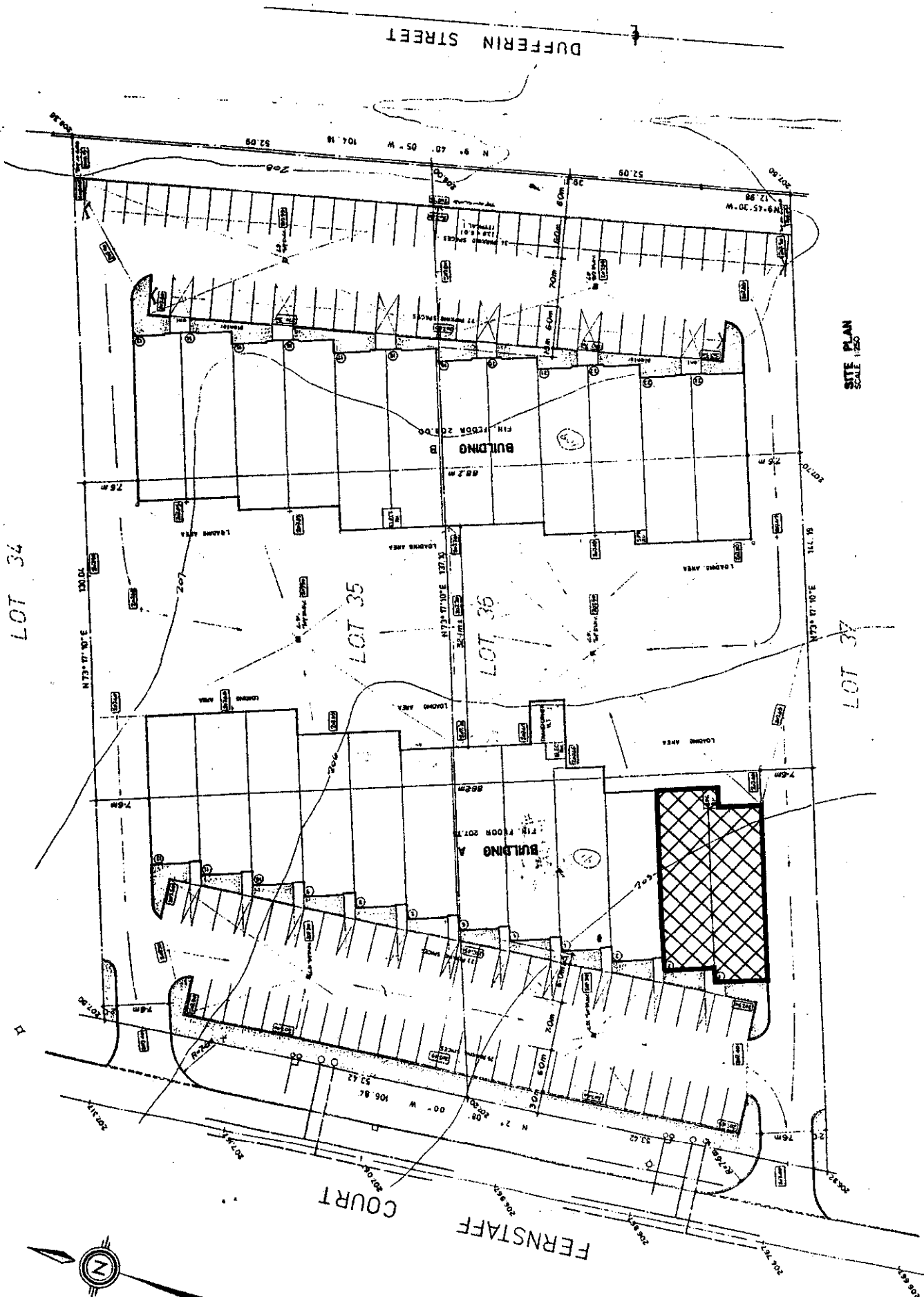
ATTACHMENT "1"
LOCATION MAP

FILE #:	REPORT #:
Z.01.061	LOCATION: PT OF LOT 11 CONC. 3



CITY OF VAUGHAN
PLANNING DEPARTMENT

APPLICANT:	DATE: 21/08/2001
HILTON STEIN (1487224 ONT. INC.)	SCALE: NOT TO SCALE



DATE: 03/15/2002
 SCALE: NOT TO SCALE
 APPLICANT: HILTON STEIN (1487224 ONT. INC.)

SUBJECT AREA
 CITY OF VAUGHAN
 PLANNING DEPARTMENT

REPORT #:
 LOCATION: PT OF LOT 11
 CONC. 3

FILE #:
 Z.01.061

ATTACHMENT "2"
 SITE PLAN